

# VERMONT HOUSEHOLD HAZARDOUS PRODUCT SHELF LABELING PROGRAM

## Introduction

The Vermont Household Hazardous Product Shelf Labeling Program was implemented in April 1991 by the Solid Waste Division of the State of Vermont, Agency of Natural Resources (the Agency). The mandatory shelf labeling program was established by a 1990 state law that required all retailers stocking household products containing hazardous constituents to identify those products via a shelf label. The program's purpose is to promote toxic use reduction and pollution prevention by educating consumers about the dangers of hazardous household products and encouraging them to consider alternatives. Additionally, through customer education, the program hopes to send a signal to manufacturers to produce less hazardous products by prompting consumers to avoid purchasing hazardous products. Approximately 3,500 Vermont stores (e.g., grocery stores, hardware stores, house and garden stores, and convenience stores) are subject to the law. Since 1995, however, some changes to the extent of labeling required by retailers have been made.

Retailers were initially concerned that the program would result in a negative consumer perception of their stores because they sell hazardous products. Instead, consumers have been quite supportive of the participating stores, and have expressed their appreciation for the additional product information. Retailers also worried about possible loss of sales of the labeled products. The state responded by modifying the program to label products deemed less toxic or nontoxic with an "exempt" label, so that retailers could offer officially-sanctioned alternatives to the labeled products. To qualify for an exempt label, a petition must be submitted to the Secretary of the Agency of Natural Resources, and it must be shown that the product is free of certain ingredients listed in the Vermont Community Right-to-Know list of hazardous chemicals.

Products covered by the program include those listed as household hazardous products in the Vermont state statute, and generally fall into the following four categories: cleaning products, auto and machine maintenance products, hobby and repair products, and outside use products (e.g., fertilizers, pesticides, butane or lighter fluid, etc.). Personal care products and food items are excluded.

## Recent Developments

Since 1995, there have been changes made to the program aimed at streamlining its implementation. The biggest change to the program is that retailers are no longer required to label the shelf space below every hazardous product. Instead, the Agency provides retailers with 3"x 6", vinyl coated, yellow and black cards known as "shelf-talker" cards. Retailers are required to place this card in areas that display a significant quantity of hazardous products.

Additionally, as mentioned above, products considered less toxic or nontoxic were originally labeled as “exempt” from the program. Since 1995, however, it is no longer required that retailers label these products as such, though they are welcome to do so if they wish.

## **Program Summary**

Vermont's program was established with input from the broad-based Governor's Technical Advisory Committee on Solid Waste and other interested parties. The Technical Advisory Committee included representatives from retailers as well as environmental organizations. The program was implemented and is maintained by the Solid Waste Division of the Agency of Natural Resources. The Commissioner of Agriculture has adopted the shelf labeling programs as its companion program for pesticides and commercial fertilizers.

Categories of products requiring shelf labeling are those listed in the Vermont state statute. Many of the products on this list also require labeling under the Federal Hazardous Substances Act. The Vermont program requires that the Agency provide information pamphlets and guides to retailers detailing which products meet the statutory determination of hazardous products under the labeling program. Additionally, the Agency is required to provide retailers information, brochures, and posters about the program for display on their premises and for their customers to use. However, since 1995, it is no longer mandatory that retailers label individual products (although the Agency reports that some retailers still do).

The program currently uses yellow and black shelf talker cards contain the signal words “Poison,” “Danger,” “Warning,” “Caution,” and “no warning label,” in descending order. These signal words closely follow those on product labels required by the Federal Hazardous Substances Act and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). On the card, an arrow points from “Poison,” indicating the most hazardous types of products, down to “no warning label,” indicating that products with no warning labels on them are the least hazardous. A message to consumers that says, “Read label warning words...Choose less hazardous products” is also presented on the shelf talker card. The card prompts consumers to read these labels before purchasing hazardous products. Prior to 1995, every household hazardous product listed by the Vermont statute had to be labeled as such. Now, however, retailers are only required to place these shelf-talker cards on shelves (or other display areas) when over 20 percent of the shelf or display area contains hazardous products.

Retailers are provided with information about household hazardous products and alternatives, as well as logistical information on how to label shelves in information pamphlets and double-sided information cards. Also, during the first nine months of the program's implementation, a full-time “retailer educator” was hired to assist retailers in implementing the program.

In addition to the shelf talker cards, the Agency has developed informational posters to be displayed close to shelves where hazardous products are sold and brochures that contain

background information on products, potential hazards, safe disposal, and use of alternative nontoxic products.

## **Program Methodology**

As a mandatory program, the Vermont Household Hazardous Products Shelf Labeling Program requires retailers to label the shelf space below hazardous product displays, when these products occupy more than 20 percent of the display area. Products covered by the program include those listed as household hazardous products in the Vermont state statute.

## **References**

Miller, John, State of Vermont, Waste Prevention Section, Vermont Agency of Natural Resources, 1997. Personal communication with Abt Associates.

Vermont, State of, 1992. *The Vermont Household Hazardous Products Shelf Labeling Program - Retailer Information Guide*.

Vermont Agency of Natural Resources, *Hazardous Product Shelf Labeling: What retailers need to know*, information pamphlet.

Vermont Agency of Natural Resources, 1996, *Report to the General Assembly on Streamlining Household Hazardous Product Shelf Labeling*.

Vermont Agency of Natural Resources, *Shelf-Talker Label*.

Vermont Agency of Natural Resources, 1995, *Household Hazardous Products...deserve your attention*, information brochure.

## **Product Categories**

### *Auto Maintenance*

- Motor oil
- Transmission fluid and additives
- Engine lubricants
- Antifreeze
- Windshield wiper solution
- Lead-acid batteries
- Engine cleaners and solvents
- Gas treatments
- Gas line freeze-up products
- Car waxes

### *Hobby and Repair Products*

- Paint (brush, spray, and aerosol)
- Lacquers and thinners
- Alcohol (not for human consumption)
- Cresol, naphtha
- Mineral spirits
- Turpentine
- Wood preservatives
- Glues and adhesives
- Photographic chemicals

### *Outside Use Products*

- Fertilizers
- Pesticides
- Pool chemicals
- Self-lighting charcoal
- Charcoal lighter fluid
- Butane lighters

### *Cleaning Products*

- Furniture polishes and stains
- Floor waxes
- Car waxes
- Spray dust cleaners
- Drain cleaners
- Toilet bowl cleaners
- Oven cleaners
- Spot and stain removers (petroleum based)
- All aerosols
- Shoe polish